THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

Writ Petition No.26890 of 1998

ORDER:

In this Writ Petition the petitioner seeks direction by way of *Mandamus* to declare the action of the respondent in not providing civic amenities, like laying of BT road, street lights, sanitation etc., in the N.G.Os. colony of the Government Employees Cooperative Housing Society, as illegal.

In the affidavit filed in support of the writ petition it is stated that the Government employees belonging to various departments in the District of Nizamabad formed themselves into a Cooperative Housing Society, acquired some land in Kanteswar revenue village and obtained a lay out sanction in the year 1977. It is the complaint of the petitioner society that though betterment charges have been paid and houses were constructed in the lay out, basic amenities are not being provided by the respondent-municipality. Though the writ petition is of the year 1998, no counter-affidavit is filed and also no representation on behalf of the respondent.

The allegations as stated in the affidavit filed in support of the writ petition are very vague. No general direction can be given as prayed for in the absence of giving details of the civic amenities which are not extended in the lay out obtained by the petitioner. Insofar as formation of road is concerned, when the petitioner-society applied for lay out, on granting of tentative lay out, they themselves have to form lay out in conformation with the specifications in the tentative lay out. In that view of the matter also it cannot be said that the respondent has not formed road in the lay out obtained by the petitioner-society.

In view of the vague allegations of the petitioner and further in the absence of any counter-affidavit from the respondent, I deem it appropriate to permit the petitioner to file a representation within a period of six weeks from today, if it has any grievance in regard to

amenities in its residential area. On such representation being filed, respondent shall consider and take steps for providing basic civic amenities as contemplated under the provisions of the A.P. Municipality Act and the rules made thereunder.

Subject to the above direction, Writ Petition is disposed of. No order as to costs.

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R.SUBHASH REDDY, J.

03rd April, 2007.

skmr

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

Writ Petition No.26890 of 1998

Dated 03-04-2007

Between:

The Government Employees Cooperative
Housing Society Ltd., Nizamabad,
rep. by its Secretary, J.Sudershan,
S/o Sri Narayana, R/o 11-1-2/87,
New N.G.Os. Colony, Subhashnagar, Nizamabad. .. Petitioner

and

The Commissioner, Municipal Council,
Nizamabad ..
Respondent